

APPENDIX K

Appendix K

K-1 FAR 52.204-8 ANNUAL REPRESENTATIONS AND CERTIFICATIONS (JAN 2006)

- (a) (1) The North American Industry classification System (NAICS) code for this acquisition is **561210 Government Base Facilities Operation Support Services**.
- (2) The small business size standard is **\$30,000,000**.

Livermore Lab GREEN, LLC is a small business

- (3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.
- (b) (1) If the clause at 52.204-7, Central Contractor Registration, is included in this solicitation, paragraph (c) of this provision applies.
- (2) If the clause at 52.204-7 is not included in this solicitation, and the offeror is currently registered in CCR, and has completed the ORCA electronically, the offeror may choose to use paragraph (c) of this provision instead of completing the corresponding individual representations and certification in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:
- ☐ (i) Paragraph (c) applies.
- ☒ (ii) Paragraph (c) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

- (c) The offeror has completed the annual representations and certifications electronically via the Online Representations and Certifications Application (ORCA) website at <http://orca.bpn.gov>. After reviewing the ORCA database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified below *[offeror to insert changes, identifying change by clause number, title, date]*. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR Clause	Title	Date	Change

APPENDIX K

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on ORCA.

K-2 FAR 52.230-1 COST ACCOUNTING STANDARDS NOTICES AND CERTIFICATION (JUN 2000)

Livermore Lab GREEN, LCC is a small business.

Note: This notice does not apply to small businesses or foreign governments. This notice is in three parts, identified by Roman numerals I through III.

K-3 DEAR 952.204-73 FACILITY CLEARANCE (MAY 2002)

NOTICES

Section 2536 of title 10, United States Code, prohibits the award of a contract under a national security program to an entity controlled by a foreign government if it is necessary for that entity to be given access to information in a proscribed category of information in order to perform the contract unless a waiver is granted by the Secretary of Energy. In addition, a Facility Clearance and foreign ownership, control and influence (FOCI) information are required when the contract or subcontract to be awarded is expected to require employees to have access authorizations.

Offerors who have either a Department of Defense or a Department of Energy Facility Clearance generally need not resubmit the following foreign ownership information unless specifically requested to do so. Instead, provide your DOE Facility Clearance code or your DOD assigned commercial and government entity (CAGE) code. If uncertain, consult the office which issued this solicitation.

- (a) Use of Certificate Pertaining to Foreign Interests, Standard Form 328.
 - (1) The contract work anticipated by this solicitation will require access to classified information or special nuclear material. Such access will require a Facility Clearance for the Contractor organization and access authorizations (security clearances) for Contractor personnel working with the classified information or special nuclear material. To obtain a Facility Clearance the offeror must submit a Certificate Pertaining to Foreign Interests, Standard Form 328, and all required supporting documents to form a complete Foreign Ownership, Control or Influence (FOCI) Package.

Standard Form 328 is submitted below.

- (2) Information submitted by the offeror in response to the Standard Form 328 will be used solely for the purposes of evaluating foreign ownership,

APPENDIX K

control or influence and will be treated by DOE, to the extent permitted by law, as business or financial information submitted in confidence.

- (3) Following submission of a Standard Form 328 and prior to contract award, the Contractor shall immediately submit to the Contracting Officer written notification of any changes in the extent and nature of FOCI which could affect the offeror's answers to the questions in Standard Form 328. Following award of a contract, the Contractor must immediately submit to the cognizant security office written notification of any changes in the extent and nature of FOCI which could affect the offeror's answers to the questions in Standard Form 328. Notice of changes in ownership or control which are required to be reported to the Securities and Exchange Commission, the Federal Trade Commission, or the Department of Justice must also be furnished concurrently to the cognizant security office.

(b) Definitions.

- (1) Foreign Interest means any of the following:
 - (i) A foreign government, foreign government agency, or representative of a foreign government;
 - (ii) Any form of business enterprise or legal entity organized, chartered or incorporated under the laws of any country other than the United States or its possessions and trust territories; and
 - (iii) Any person who is not a citizen or national of the United States.
- (2) *Foreign Ownership, Control, or Influence (FOCI)* means the situation where the degree of ownership, control, or influence over a Contractor by a foreign interest is such that a reasonable basis exists for concluding that compromise of classified information or special nuclear material may result.

(c) Facility Clearance means an administrative determination that a facility is eligible to access, produce, use or store classified information, or special nuclear material. A Facility Clearance is based upon a determination that satisfactory safeguards and security measures are carried out for the activities being performed at the facility. It is DOE policy that all Contractors or Subcontractors requiring access authorizations be processed for a Facility Clearance at the level appropriate to the activities being performed under the contract. Approval for a Facility Clearance shall be based upon:

- (1) A favorable foreign ownership, control, or influence (FOCI) determination based upon the Contractor's response to the ten questions in Standard Form 328 and any required, supporting data provided by the Contractor;

APPENDIX K

- (2) A contract or proposed contract containing the appropriate security clauses;
 - (3) Approved safeguards and security plans which describe protective measures appropriate to the activities being performed at the facility;
 - (4) An established Reporting Identification Symbol code for the Nuclear Materials Management and Safeguards Reporting System if access to nuclear materials is involved;
 - (5) A survey conducted no more than 6 months before the Facility Clearance date, with a composite facility rating of satisfactory, if the facility is to possess classified matter or special nuclear material at its location;
 - (6) Appointment of a Facility Security Officer, who must possess or be in the process of obtaining an access authorization equivalent to the Facility Clearance; and, if applicable, appointment of a Materials Control and Accountability Representative; and
 - (7) Access authorizations for key management personnel who will be determined on a case-by-case basis, and must possess or be in the process of obtaining access authorizations equivalent to the level of the Facility Clearance.
- (d) A Facility Clearance is required prior to the award of a contract requiring access to classified information and the granting of any access authorizations under a contract. Prior to award of a contract, the DOE must determine that award of the contract to the offeror will not pose an undue risk to the common defense and security as a result of its access to classified information or special nuclear material in the performance of the contract. The Contracting Officer may require the offeror to submit such additional information as deemed pertinent to this determination.
- (e) A Facility Clearance is required even for contracts that do not require the Contractor's corporate offices to receive, process, reproduce, store, transmit, or handle classified information or special nuclear material, but which require DOE access authorizations for the Contractor's employees to perform work at a DOE location. This type facility is identified as a non-possessing facility.
- (f) Except as otherwise authorized in writing by the Contracting Officer, the provisions of any resulting contract must require that the contractor insert provisions similar to the foregoing in all subcontracts and purchase orders. Any Subcontractors requiring access authorizations for access to classified information or special nuclear material shall be directed to provide responses to the questions

APPENDIX K

in Standard Form 328, Certificate Pertaining to Foreign Interests, directly to the prime contractor or the Contracting Officer for the prime contract.

NOTICE TO OFFERORS - CONTENTS REVIEW

(PLEASE REVIEW BEFORE SUBMITTING)

Prior to submitting the Standard Form 328, required by paragraph (a)(1) of this clause, the offeror should review the FOCI submission to ensure that:

- (1) The Standard Form 328 has been signed and dated by an authorized official of the company;
- (2) If publicly owned, the Contractor's most recent annual report, and its most recent proxy statement for its annual meeting of stockholders have been attached; or, if privately owned, the audited, consolidated financial information for the most recently closed accounting year has been attached;
- (3) A copy of the company's articles of incorporation and an attested copy of the company's by-laws, or similar documents filed for the company's existence and management, and all amendments to those documents;
- (4) A list identifying the organization's owners, officers, directors, and executive personnel, including their names, social security numbers, citizenship, titles of all positions they hold within the organization, and what clearances, if any, they possess or are in the process of obtaining, and identification of the government agency(ies) that granted or will be granting those clearances; and
- (5) A summary FOCI data sheet.

NOTE: A FOCI submission must be attached for each tier parent organization (i.e. ultimate parent and any intervening levels of ownership). If any of these documents are missing, award of the contract cannot be completed.

APPENDIX K

K-4 CERTIFICATE PERTAINING TO FOREIGN INTERESTS

With regard to the Contract's Section K provision entitled "FACILITY CLEARANCE", the Offeror is required to complete all applicable FOCI disclosure forms provided in ATTACHMENT A of this section entitled "Foreign Ownership, Control or Influence (FOCI) Package", which includes a Standard Form 328 – Certificate Pertaining To Foreign Interests. If the Offeror has an approved facility clearance, the Offeror should identify (1) its DOE Facility Code (or DOE CAGE Code, if applicable), (2) the date the Offeror's completed Standard Form 328 was submitted, and (3) the date of the Contracting Officer's affirmative FOCI determination.

K-5 DEAR 952.209-8 ORGANIZATIONAL CONFLICTS OF INTEREST DISCLOSURE-ADVISORY AND ASSISTANCE SERVICES (JUNE 1997) (ALTERNATE I) (DEVIATION)

- (a) Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the Government, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.
- (b) *The offeror shall provide the statement described in paragraph (c) of this provision as an Exhibit to this Section K.*

Exhibit to Section K:

- (1) In the last 12 months Livermore Lab GREEN LLC has no present, or currently planned financial, contractual, organizational, or other interests relating to the performance of the statement of work, other than this contract bid. There are no significant potential organizational conflict of interest.
- (2) Livermore Lab GREEN, LLC has no actual or potential conflict of interest or unfair competitive advantage with respect to the advisory and assistance services to be provided in connection with the instant contract or that any actual or potential conflict of interest or unfair competitive advantage that does or may exist with respect to the contract in question.

K-6 DEAR 970.5223-3 AGREEMENT REGARDING WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES (DEC 2000)

APPENDIX K

- (a) Any contract awarded as a result of this solicitation will be subject to the policies, criteria, and procedures of 10 CFR part 707, Workplace Substance Abuse Programs at DOE Sites.
- (b) By submission of its offer, the Offeror agrees to provide to the Contracting Officer, within 30 days after notification of selection for award, or award of a contract, whichever occurs first, pursuant to this solicitation, its written workplace substance abuse program consistent with the requirements of 10 CFR part 707.
- (c) Failure of the Offeror to agree to the condition of responsibility set forth in paragraph (b) of this provision, renders the Offeror unqualified and ineligible for award.

Livermore Lab GREEN LLC agrees to the condition set forth in paragraph b above.

K-7 DEAR 970.5227-7 ROYALTY INFORMATION (DEC 2000)

- (a) Cost or charges for royalties. If the response to this solicitation contains costs or charges for royalties totaling more than \$250, the following information shall be included in the response relating to each separate item of royalty or license fee:

The charge for royalties will not total more than \$250.

- (1) Name and address of licensor;
 - (2) Date of license agreement;
 - (3) Patent numbers, patent application serial numbers, or other basis on which the royalty is payable;
 - (4) Brief description, including any part or model numbers of each contract item or component on which the royalty is payable;
 - (5) Percentage or dollar rate of royalty per unit;
 - (6) Unit price of contract item;
 - (7) Number of units; and
 - (8) Total dollar amount of royalties.
- (b) Copies of current licenses. In addition, if specifically requested by the Contracting Officer before execution of the contract, the offeror shall furnish a copy of the current license agreement and an identification of applicable claims of specific patents or other basis upon which the royalty may be payable.

APPENDIX K

K-8 DEAR 970.5227-9 NOTICE OF RIGHT TO REQUEST PATENT WAIVER (DEC 2000)

Offerors have the right to request a waiver of all or any part of the rights of the United States in inventions conceived or first actually reduced to practice in performance of the contract, in advance of or within 30 days after the effective date of contracting. If such advance waiver is not requested or the request is denied, the Contractor has a continuing right under the contract to request a waiver of the rights of the Government in identified inventions, i.e., individual inventions conceived or first actually reduced to practice in performance of the contract. Contractors that are domestic small businesses and domestic nonprofit organizations may not need a waiver and will have included in their contracts a patent clause reflecting their right to elect title to subject inventions pursuant to the Bayh-Dole Act (35 U.S.C. 200 et seq.).

APPENDIX K

K-9 SIGNATURE/CERTIFICATION

By signing below, the Offeror certifies, under penalty of law, that the representations and certifications herein are accurate, current, and complete. The Offeror further certifies that it will notify the Contracting Officer of any changes to these representations and certifications. The representations and certification made by the Offeror, as contained herein, concern matters within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent representation or certification may render the maker subject to prosecution under Title 18, United States Code, Section 1001.

Signature of the Officer or Employee
Responsible for the Offer

Date of Execution

Marylia Kelley, Manager

Typed Name and Title of the Officer or Employee
Responsible for the Offer

Livermore Lab Green Renewable Energy and Environmental Nexus (GREEN), LLC
Name of Organization

2582 Old First Street

Address

Livermore, CA 94551

City, State, ZIP

Solicitation No. DE-RP52-06NA27344

APPENDIX K
ATTACHMENT A – FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE (FOCI) PACKAGE

Standard Form 328 - Certificate Pertaining To Foreign Interests

CONTENTS REVIEW REQUIRED BY THE OFFEROR

Section 836 of the Fiscal Year 1993 Defense Authorization Act (Pub. L. 102-484) prohibits the award of a Department of Energy contract under the national security program to an entity owned or controlled by a foreign government if it is necessary for that entity to be given access to information in a proscribed category of information in order to perform the contract. The Secretary of Energy may determine that a waiver from this requirement is essential to the National Security interests of the United States.

Prior to forwarding a FOCI submission to DOE, the offeror shall review the FOCI documentation to ensure that:

1. If the offeror is owned by a parent organization(s), the Certificates Pertaining to Foreign Interests Standard Form 328 (REV7/2004) have been attached for all tier parents, i.e., ultimate parent and any intervening levels of ownership. Each certification must be signed and dated by an authorized official of the respective organization. [i.e., a person authorized to represent and sign for the organization as officially recorded by the organization (that is, in the document which sets forth the terms & conditions for its operation & management by laws, operating agreement, partnership agreement, etc.)]

In addition to the executed Certificates Pertaining to Foreign Interests Standard Form 328 (REV7/2004), an offeror/bidder and, if applicable, its tier parents shall also submit the following to the Contracting Officer:

1. A copy of the U.S. company's articles of incorporation and an attested copy of the U.S. company's by-laws, or similar documents filed for the U.S. company's existence and management, and all amendments to those documents. NOTE: A contractor with a DOE approved facility clearance and, if applicable, its tier parents do not need to provide these documents unless (i) the U.S. company's articles of incorporation and by-laws, or similar documents filed for the U.S. company's existence and management, have been amended; or (ii) the Lead Responsible Office has requested the documents. *Contractors with approved facility clearances should identify their Facility Code or CAGE Code if DOD, the date they submitted their Certificate Pertaining to Foreign Interests, and the FOCI determination date to the Contracting Officer.*
2. Complete and return the attached Summary FOCI Data Sheet. The Summary FOCI Data Sheet will enable the Lead Responsible Office to review and verify the submitted information in a quicker and more thorough manner which will provide a quicker determination. NOTE: A contractor with a DOE approved facility clearance and, if applicable, its tier parents do not need to provide the Summary FOCI Data Sheet unless (i) a change(s) has occurred which would affect the answers to the information in the Summary FOCI Data Sheet previously provided by the contractor and/or its tier parents, if applicable; or (ii) the Lead Responsible Office has requested the contractor and/or its tier parents to complete and return the Summary FOCI Data Sheet.
3. Consolidated information and statements for the organization's most recently closed accounting year.

APPENDIX K

- a. Publicly-traded companies (including the ultimate parent, intermediate parent, and subsidiary) shall submit its annual report and Securities and Exchange Commission Form 10-K report for the most recently closed accounting year, as well as its most recent proxy statement for the annual meeting of stockholders.

If the company's stock is not publicly traded but the company has publicly-traded debt, the company shall submit its Securities and Exchange Commission Form 10-K report for the most recently closed accounting year.

- b. Privately-owned companies (including the ultimate parent, intermediate parent, and subsidiary) shall submit consolidated financial information (i.e., to include the accounts of the company and its subsidiary companies) for the most recently closed accounting year. The financial information shall be prepared and presented in accordance with generally accepted accounting principles as established by the financial accounting standards board, to include accompanying footnote disclosures. If available, audited financial information shall be provided. If audited financial information is not available, unaudited information shall be provided, but only if accompanied by a certification attesting to the unavailability of audited information.

4. Listing of owners, officers, directors, and executive personnel (OODEP)

- a. The contractor and all tier parents shall submit a list identifying their respective organizations owners, officers, directors, and executive personnel, to include their complete names; social security numbers; date and place of birth; citizenship; titles of all positions they hold within the organization; and what clearances, if any, they possess or are in the process of obtaining and identification of the government agency(ies) that granted or will be granting those clearances. If any position is vacant, so state.
- b. For sole proprietorships operating in community property states (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, or Wisconsin), information on the sole proprietor's spouse, if applicable, shall also be provided on the OODEP listing.

NOTE: *If any of these documents are missing the contracting officer cannot complete award of the contract.*

APPENDIX K

STANDARD FORM 328 CERTIFICATE PERTAINING TO FOREIGN INTERESTS (REV 7/2004)

CERTIFICATE PERTAINING TO FOREIGN INTERESTS <i>(Type or print all answers)</i>	<i>Form Approved</i> <i>OMB No. 0704-0194</i> <i>Expires Sep 30, 2007</i>	
The public reporting burden for this collection of information is estimated to average 70 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to Department of Defense, Executive Services and Communications Directorate (0704-0194). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.		
PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS. RETURN COMPLETED FORM TO YOUR RESPECTIVE COGNIZANT SECURITY OFFICE.		
PENALTY NOTICE		
Failure to answer all questions or any misrepresentation (by omission or concealment, or by misleading, false or partial answers) may serve as a basis for denial of clearance for access to classified information. In addition, Title 18 United States Code 1001, makes it a criminal offense, punishable by a maximum of five (5) years imprisonment, \$15,000 fine or both, knowingly to make a false statement or repre-	sentation to any Department or Agency of the United States as to any matter within the jurisdiction of any Department or Agency of the United States. This includes any statement made herein which is knowingly incorrect, incomplete or misleading in any important particular.	
PROVISIONS		
1. This report is authorized by the Secretary of Defense, as Executive Agent for the National Industrial Security Program, pursuant to Executive Order 12829. While you are not required to respond, your eligibility for a facility clearance cannot be determined if you do not complete this form. The retention of a facility security clearance is contingent upon your compliance with the requirements of DoD 5220.22-M for submission of a revised form as appropriate.	2. When this report is submitted in confidence and is so marked, applicable exemptions to the Freedom of Information Act will be invoked to withhold it from public disclosure. 3. Complete all questions on this form. Mark "Yes" or "No" for each question. If your answer is "Yes" furnish in full the complete information under "Remarks."	
QUESTIONS AND ANSWERS		
1. <i>(Answer 1a. or 1b.)</i> a. <i>(For entities which issue stock):</i> Do any foreign person(s), directly or indirectly, own or have beneficial ownership of 5 percent or more of the outstanding shares of any class of your organization's equity securities? b. <i>(For entities which do not issue stock):</i> Has any foreign person directly or indirectly subscribed 5 percent or more of your organization's total capital commitment?	YES	NO
2. Does your organization directly, or indirectly through your subsidiaries and/or affiliates, own 10 percent or more of any foreign interest?		X
3. Do any non-U.S. citizens serve as members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials?		X
4. Does any foreign person(s) have the power, direct or indirect, to control the election, appointment, or tenure of members of your organization's board of directors (or similar governing body) or other management positions of your organization, or have the power		X

Appendix to Volume I, submitted by Livermore Lab GREEN LLC on October 27, 2006
for Solicitation No DE-RP52-06NA27344

APPENDIX K

to control or cause the direction of other decisions or activities of your organization?		
5. Does your organization have any contracts, agreements, understandings, or arrangements with a foreign person(s)?		X
6. Does your organization, whether as borrower, surety, guarantor or otherwise have any indebtedness, liabilities or obligations to a foreign person(s)?		X
7. During your last fiscal year, did your organization derive:		X
a. 5 percent or more of its total revenues or net income from any single foreign person?		X
b. In the aggregate 30 percent or more of its revenues or net income from foreign persons?		X
8. Is 10 percent or more of any class of your organization's voting securities held in "nominee" shares, in "street names" or in some other method which does not identify the beneficial owner?		X
9. Do any of the members of your organization's board of directors (or similar governing body), officers, executive personnel, general partners, regents, trustees or senior management officials hold any positions with, or serve as consultants for, any foreign person(s)?		X
10. Is there any other factor(s) that indicates or demonstrates a capability on the part of foreign persons to control or influence the operations or management of your organization?		X

STANDARD FORM 328 (Revised 7/2004)

PREVIOUS EDITION IS OBSOLETE

APPENDIX K

REMARKS *(Attach additional sheets, if necessary, for a full detailed statement.)*

CERTIFICATION

I CERTIFY that the entries made by me above are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

WITNESSES:

(Date Certified)

By _____

(Signature of Authorized Contractor Representative)

Livermore Lab GREEN, LLC

(Typed Name of Contractor)

NOTE: In case of a corporation, a witness is not required but the _____ Marylia Kelley, Manager

certificate below must be completed. Type or print names under *(Title of Authorized Contractor Representative)*

all signatures.

2582 Old First St. Livermore, CA 94551

(Address)

NOTE: Contractor, if a corporation, should cause the following certificate to be executed under its corporate seal, provided that the same officer shall not execute both the Agreement and the Certificate.

CERTIFICATE

I, _____ Marylia Kelley _____, certify that I am the _____ Manager _____

of the corporation named as Contractor herein; that _____

who signed this certificate on behalf of the Contractor, was then _____

of said corporation; that said certificate was duly signed for and in behalf of said corporation by authority of its governing body, and is

*Appendix to Volume I, submitted by Livermore Lab GREEN LLC on October 27, 2006
for Solicitation No DE-RP52-06NA27344*

APPENDIX K

within the scope of its corporate powers.

(Corporate Seal)

(Signature and Date)

STANDARD FORM 328 (BACK) (Revised 7/2004)

APPENDIX K
INSTRUCTIONS FOR COMPLETION OF THE CERTIFICATE PERTAINING TO FOREIGN INTERESTS

Note: Please submit the completed certificate in triplicate (3 original signatures). DOE has an electronic system for offerors/bidders to submit FOCI information, which can be accessed at <https://foci.td.anl.gov>. However, *electronic* signatures cannot be accepted. Thus, a signed SF-328 original, executed in accordance with the form's instructions, must still be submitted with the offeror's offer/proposal to DOE.

SUMMARY FOCI DATA SHEET

PROVIDE RESPONSES TO THE QUESTIONS IDENTIFIED BELOW: (SUPPLEMENTAL PAGES MAY BE ATTACHED TO PROVIDE COMPLETE AND ACCURATE RESPONSES.)

1. Type of business structure: () corporation; () college/university; (X) limited liability company; () sole proprietorship; () limited partnership; () general partnership; () other
2. Exact name as specified in charter:

Livermore Lab Green Renewable Energy and Environmental Nexus, LLC

3. All other names used (i.e., dba [doing business as], aka [also known as]):
none
4. State or other jurisdiction of incorporation or organization:
CA
5. Date of incorporation or organization:
October 4, 2006

APPENDIX K

6. Stock ownership: (X) privately held, () publicly traded.

a.) Class(es) of stock:

b.) Number of shares authorized of each class of stock:

c.) Number of shares issued of each class of stock?

d.) Explain difference(s) between each class of stock, to include voting rights:

e.) Is cumulative voting authorized? () YES () NO

7. Current physical address for the principal executive offices, individual point of contact and phone number for FOCI matters and the organization's facility security officer and phone number.

Physical Address: 2582 Old First St. Livermore, CA 94551

Facility Security Officer: Vacant, to be filled upon announcement of contract award

Telephone (925) 443-7148

8. List all company names and/or address changes, and the date(s) of such change(s), for the principal executive offices during the past 10 years.
none

9. Legal name(s) of all tier parent organizations, if applicable.
Tri-Valley Communities Against A Radioactive Environment

*Appendix to Volume I, submitted by Livermore Lab GREEN LLC on October 27, 2006
for Solicitation No DE-RP52-06NA27344*

APPENDIX K

10. Provide the current number of members of the company's Board of Directors, to include identification by name of the Chairman of the Board, if applicable.

The following groups will appoint representatives to the Board upon announcement of contract award:

Tri-Valley Communities Against a Radioactive Environment (CAREs)
New College of California
Nuclear Watch of New Mexico
WindMiller Energy

11. Will any parent organizations be performing work requiring access authorizations, and if so, identify by legal name the parent organization(s)
name
No

12. Does your organization or any parent organization maintain DOD facility clearances? If yes, please provide the DOD cage code(s).
No

OFFICIAL USE ONLY (WHEN COMPLETED)

OWNERS, OFFICERS, DIRECTORS, AND EXECUTIVE PERSONNEL (OODEP)

LEGAL COMPANY NAME AND PHYSICAL ADDRESS OF FACILITY LOCATION:

ADDRESS OF COMPANY'S PRINCIPAL EXECUTIVE OFFICES IF DIFFERENT FROM THE PHYSICAL ADDRESS OF THE FACILITY LOCATION:

INDIVIDUAL'S COMPLETE NAME	ALL COMPANY TITLES/POSITIONS HELD BY IDENTIFIED INDIVIDUAL	DATE/PLACE OF BIRTH/CITIZENSHIP (U.S., OTHER, DUAL)	SOCIAL SECURITY NUMBER	IDENTIFY INDIVIDUAL'S SECURITY CLEARANCE(S) LEVEL, ISSUING U.S. GOVERNMENT AGENCY(ies) OR EXCLUSION AND DATE
Marylina Kelley	Executive Director, Tri-Valley CAREs Manager, Livermore Lab Green Renewable Energy and Environmental Nexus (GREEN), LLC	November 19, 1951 Chicago, Illinois, USA Citizen, USA	551-76-6672	None at present; eligible and willing to obtain one

*Appendix to Volume I, submitted by Livermore Lab GREEN LLC on October 27, 2006
for Solicitation No DE-RP52-06NA27344*

APPENDIX K

LIST CERTIFIED CORRECT BY:

Type or Print Name and Signature of Authorized Official

Title

Date Certified

APPENDIX K